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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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|-----------------|-------------|----------------------|---------------------|------------------|

10/756,828

01/14/2004

Ran Mochary

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09/26/2008

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EXAMINER

OPSASNICK, MICHAEL N

ART UNIT

PAPER NUMBER

2626

MAIL DATE

DELIVERY MODE

09/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|---|---------------------------------------|--|
| Office Action Summary | Application No. 10/756,828 | Applicant(s) MOCHARY ET AL. | |
| | Examiner MICHAEL N. OPSASNICK | Art Unit 2626 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/17/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-21,23-28,30-44 and 46-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the language is in claim style format, as well as not describing the improvement over the art. Correction is required. See MPEP § 608.01(b).

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1,3-21,23-28,30-44,46-48 are rejected under 35 U.S.C. 102(b) as being anticipated by Irvin et al (2002/0072912).

As per claim 1, Irvin et al (2002/0072912) teaches: A configurable speech recognizer comprising: a geographic configuration unit to receive roaming indications from a cellular telephone and to process said indications to determine a location associated with said telephone (as calculation the distance between the location of the portable cell and the desired telephone number – [0021]); a recognition manager to select associated search information as a function of said location (as choosing and generating a table storing the tested telephone numbers – pp [0022]); and a speech recognition unit to utilize said selected associated search information when recognizing at least one incoming speech signal (and end of pp [0023])

As per claims 3,4 Irvin et al (2002/0072912) teaches the recognizer according to claim 2 and wherein said roaming indications comprise an indication of type of operator, wherein said

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operator type is one of the following: cellular and landline operator (as accessing a directory from a cell phone – page 2, 2nd col, lines 1-18).

As per claim 5, Irvin et al (2002/0072912) teaches the recognizer according to claim 1 and wherein said location is a country (as covering various areas including metropolitan areas – page 3, 1st col., lines 1-21, and country codes – page 1, col. 2, [0017] – see availability of country codes).

As per claim 6, Irvin et al (2002/0072912) teaches the recognizer according to claim 1 and wherein said selector selects said associated search information as a function also of operator identification (as choosing according to local information – page 2, 1st col. lines 1-3).

As per claim 7, Irvin et al (2002/0072912) teaches the recognizer according to claim 1 and wherein said speech recognition unit comprises a speech dialer (as voice application – page 2, col. 1, lines 4-10).

As per claim 8, Irvin et al (2002/0072912) teaches the recognizer according to claim 1 and wherein said speech recognition unit comprises a geographically affected speech recognition unit (as telephone based on distance between the cell unit and the desired phone number – page 2, 2nd col., discussion pertaining to distance D).

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As per claim 9, Irvin et al (2002/0072912) teaches the recognizer according to claim 1 and wherein said associated search information comprises a knowledge base and a reference library (as accessing stored information to recognize the request - pp[0019]).

As per claim 10, Irvin et al (2002/0072912) teaches the recognizer according to claim 1 and wherein said associated search information comprises a phone numbering plan (as table phone numbering plan – [0022]).

As per claims 11,12, Irvin et al (2002/0072912) teaches the recognizer according to claim 1 and wherein said associated search information comprises dialect, pronunciation information (as the vocabulary is trained based on location context – pp[0029]).

As per claims 13,14, Irvin et al (2002/0072912) teaches the recognizer according to claim 1 and wherein said speech recognition unit utilizes said associated search information as hard constraints and soft constraints (as allowing for telephone numbers with area codes - page 2, col. 2, lines 1-11; and releasing the requirement – page 3, col. 1 lines 1-10).

Claims 15-21,23-27 are towards a speech dialer which performs steps similar in scope and content to the speech recognizer of claims 1,3-14 and therefore, are rejected under similar rationale as presented against claims 1,3-14 above. Claims 28,30-44,46-48 are speech recognizer method steps that are performed by the speech recognizer of claims 1,3-14, therefore, claims

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28,30-44,46-48 are similar in scope and content of claims 1,3-14 and are rejected under similar rationale as presented against claims 1,3-14 above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see related art listed on the PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Michael N. Opsasnick/
Primary Examiner, Art Unit 2626
9/22/08